

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIFFANY SAIDNIA, :
Plaintiff, :
-against- : 21-cv-7792 (VSB)
NIMBUS MINING LLC, et al., :
Defendants. :
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ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action against Defendants Greg Bachrach, Jean-Marc Jacobson, Remy Jacobson, and Nimbus Mining LLC (“Nimbus Mining”) on September 17, 2021. (Doc. 1.) Plaintiff filed an affidavit of service for Defendant Nimbus Mining on October 7, 2021, (Doc. 15), and affidavits of service for Defendant Jean-Marc Jacobson on November 2, 2021, (Doc. 16), and November 26, 2021, (Doc. 17). On December 7, 2021, Plaintiff filed a motion to serve Defendants Bachrach and Remy Jacobson by alternative means, (Doc. 18), which I granted, (Doc. 19), and Plaintiff filed additional affidavits of service, (Docs. 20, 21, 22).

Defendants Bachrach, Jean-Marc Jacobson, and Remy Jacobson have all appeared and filed motions to dismiss. (Docs. 23, 24, 25, 27, 28, 32, 34.) The deadline for Defendant Nimbus Mining to respond to Plaintiff’s complaint was October 28, 2021. (*See* Doc. 15.) To date, Defendant Nimbus Mining has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case against Defendant Nimbus Mining. Accordingly, if Plaintiff intends to seek a default judgment against Defendant Nimbus Mining, she is directed to do so in accordance with Rule 55(d) of the Federal Rules of Civil Procedure and Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than February 11, 2022. If Plaintiff

fails to do so or otherwise demonstrate that she intends to prosecute this litigation against Defendant Nimbus Mining, I may dismiss Plaintiff's claim against Defendant Nimbus Mining for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: February 4, 2022
New York, New York



VERNON S. BRODERICK
United States District Judge